



U. S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 24, 2006

The Honorable John Conyers, Jr.  
Ranking Minority Member  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Congressman Conyers:

Thank you for your letter to the Attorney General, dated September 16, 2005. Your letter cites a recent article in a Mississippi newspaper suggesting that the Department has, on its own initiative, sought to gather information on certain lawsuits brought against the Army Corps of Engineers and defended by the Department. Because the article cited in your letter is misleading in several significant respects, we are writing to correct the record.

As press accounts subsequent to the one cited in your letter make plain, the Department's search for information relating to lawsuits against the Army Corps of Engineers was *not* undertaken at its own initiative, but rather was prompted by the request of a congressional committee. As is our normal practice when responding to oversight requests by congressional committees of jurisdiction, we queried those components of the Department deemed likely to have responsive information. These components in turn queried their employees. While it is unfortunate that one of the recipients of this request for information apparently chose to disclose a portion of it to an outside third party, in violation of Department procedures, there was nothing improper about the request itself, which was simply part of an effort to be responsive to a legitimate oversight inquiry by a congressional committee.

We hope this information is helpful in addressing your concerns. Please do not hesitate to contact this office if we can be of further assistance on this or any other issue.

Sincerely,

William E. Moschella  
Assistant Attorney General

cc: The Honorable F. James Sensenbrenner, Jr.  
Chairman